

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KIMBERLEY JOYCE HORNER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-10-1149-F
)	
SOCIAL SECURITY)	
ADMINISTRATION,)	
)	
Defendant.)	

ORDER


Plaintiff Kimberley Joyce Horner brings this action against the Social Security Administration. Magistrate Judge Doyle W. Argo issued a Report and Recommendation on November 8, 2010 (doc. no. 8), recommending that the complaint be dismissed without prejudice on filing, for lack of subject matter jurisdiction.

In his Report, the magistrate judge advised plaintiff of the right to object to the Report and Recommendation by November 29, 2010. He also advised that failure to make timely objection to the Report waives plaintiff's right to appellate review of factual and legal issues contained in the Report. No objection to the Report has been filed and no request for an extension of time within which to file any objection has been made. The Report notes that copies of orders have been mailed to the street address provided by plaintiff but that these mailings have been returned.

With no objection having been filed, and having reviewed the Report, the record, and the relevant arguments and authorities, the court finds that no purpose would be served by setting out any further analysis here and that the Report should be adopted in its entirety.

Accordingly, the court **ACCEPTS, AFFIRMS, and ADOPTS** the findings and recommendations of Magistrate Judge Argo as stated in his Report and Recommendation. The complaint is hereby **DISMISSED** without prejudice because the allegations of the complaint fail to show that this court has subject matter jurisdiction.

Dated this 1st day of December, 2010.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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